



PATENT  
Attorney Docket No. 115.0004-03000  
Customer No. 22882  
Express Mail Label No. EU761481194US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
John I. Shipp et al. )  
Serial No.: (Cont. of 09/441,898) ) (Group Art Unit: 3731)  
Filed: June 12, 2003 ) (Examiner: M. Thaler)  
For: SURGICAL LIGATION CLIP AND )  
METHOD FOR USE THEREOF )

MS PATENT APPLICATION  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed concurrently with the above-referenced application.

Copies of the listed documents were previously submitted in a prior application, Serial No. 09/441,898, filed November 17, 1999; Serial No. 08/766,193, filed December 12, 1996, now U.S. Patent No. 5,993,465; Serial No. 08/316,730, filed October 3, 1994, now U.S. Patent No. 5,858,018; and/or Serial No. 08/111,634, filed August 25, 1993, now abandoned; upon which applicant relies for the benefits provided in 35 U.S.C. § 120.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

English language abstracts of the non-English documents are enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 50-1068.

Respectfully submitted,

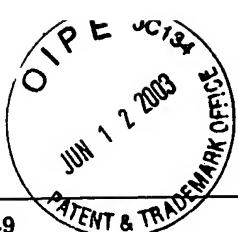
MARTIN & FERRARO, LLP

Date: June 12, 2003

By:

  
Thomas H. Martin  
Registration No. 34,383

14500 Avion Parkway, Suite 300  
Chantilly, VA 20151-1101  
Telephone: (703) 679-9300  
Facsimile: (703) 679-9303



OMB 0651-0031  
Express Mail No.: EU761481194US

Substitut for FORM PTO-1449		Attorney Docket Number 115.0004-03000		Customer No. 22882	
INFORMATION DISCLOSURE CITATION IN AN APPLICATION		Applicant John Shipp et al.		Application Number (Cont. of 09/441,898)	
(Use several sheets if necessary) Sheet <u>1</u> of <u>4</u>		Filing Date June 12, 2003		Group Art Unit (3731)	Examiner (M. Thaler)
<b>U.S. PATENT DOCUMENTS</b>					
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS
	2,626,608	01/1953	Garland		
	3,023,039	02/1962	Henningsen et al.		
	3,056,408	10/1962	Brown		
	3,120,230	02/1964	Skold		
	3,274,658	09/1966	Pile		
	3,476,114	11/1969	Shannon et al.		
	3,631,707	01/1972	Miller		
	3,757,629	09/1973	Schneider		
	3,777,538	12/1973	Weatherly et al.		
	3,882,854	05/1975	Hulka et al.		
	3,955,581	05/1976	Spasiano		
	4,024,868	05/1977	Williams		
	4,027,510	06/1977	Hilterbrandt.		
	4,038,987	08/1977	Komiya		
	4,064,881	12/1977	Meredith		
	4,152,920	05/1979	Green		
	4,169,476	10/1979	Hilterbrandt.		
	4,196,836	04/1980	Becht		
	4,226,239	10/1980	Polk et al.		
	4,228,895	10/1980	Larkin		
	4,241,734	12/1980	Kandel et al.		
	4,246,903	01/1981	Larkin		
	4,274,415	06/1981	Kanamoto et al.		
	4,317,451	03/1982	Cerwin		
	4,340,061	07/1982	Kees et al.		
	4,367,746	01/1983	Derechinsky		
	4,374,523	02/1983	Yoon		
	4,396,139	08/1983	Hall et al.		

	4,418,694	12/1983	Beroff et al.			
	4,433,689	02/1984	von Zeppelin			
	4,471,766	09/1984	Terayama			
O I P E JC13 JUN 12 2003 PATENT & TRADEMARK OFFICE	4,476,865	10/1984	Failla et al.			
	4,487,205	12/1984	Di Giovanni et al.			
	4,492,232	01/1985	Green			
	4,493,319	01/1985	Polk et al.			
	4,509,518	04/1985	McGarry et al.			
	4,512,345	04/1985	Green			
	4,527,562	07/1985	Mericle			
	4,550,715	11/1985	Santangelo et al.			
	4,556,060	12/1985	Perlin			
	4,557,263	12/1985	Green			
	4,562,839	01/1986	Blake, III et al.			
	4,590,937	05/1986	Deniega			
	4,616,650	10/1986	Green et al.			
	4,616,651	10/1986	Golden			
	4,620,541	11/1986	Gertzman et al.			
	4,624,254	11/1986	McGarry et al.			
	4,637,395	01/1987	Caspar et al.			
	4,638,804	01/1987	Jewusiak.			
	4,646,741	03/1987	Smith			
	4,658,822	04/1987	Kees, Jr.			
	4,660,558	04/1987	Kees, Jr.			
	4,662,373	05/1987	Montgomery et al.			
	4,671,278	06/1987	Chin			
	4,706,668	11/1987	Backer			
	4,712,549	12/1987	Peters et al.			
	4,741,337	05/1988	Smith			
	4,765,335	08/1988	Schmidt et al.			
	4,777,949	10/1988	Perlin			
	4,777,950	10/1988	Kees, Jr.			
	4,791,707	12/1988	Tucker			
	4,796,625	01/1989	Kees, Jr.			
	4,796,627	01/1989	Tucker			
	4,822,348	04/1989	Casey			
	4,858,608	08/1989	McQuilkin			
	4,919,152	04/1990	Ger			



	4,943,298	07/1990	Fujita et al.			
	4,944,443	07/1990	Oddsen et al.			
	4,950,258	08/1990	Kawai et al.			
	4,961,743	10/1990	Kees et al.			
	4,966,603	10/1990	Focelle et al.			
	4,967,949	11/1990	Sandhaus			
	4,976,722	12/1990	Failla			
	4,979,950	12/1990	Transue et al.			
	4,983,176	01/1991	Cushman et al.			
	5,026,379	06/1991	Yoon			
	5,030,226	07/1991	Green et al.			
	5,035,692	07/1991	Lyon et al.			
	5,053,045	10/1991	Schmidt et al.			
	5,100,420	03/1992	Green et al.			
	5,156,608	10/1992	Troidl et al.			
	5,156,609	10/1992	Nakao et al.			
	5,207,692	05/1993	Kraus			
	5,217,473	06/1993	Yoon			
	5,342,373	08/1994	Stefanchik et al.			
	5,368,600	11/1994	Failla et al.			
	5,395,381	03/1995	Green et al.			
	5,474,567	12/1995	Stefanchik et al.			
	5,601,573	02/1997	Fogelberg et al.			
	5,601,574	02/1997	Stefanchik et al.			

#### FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION (YES/NO)
	CA 2143560	02/1995	Canada			N/A
	DE 2330182	01/1975	Germany			---
	DE 3722311	01/1989	Germany			Abstract Only
	DE 3802651	08/1989	Germany			Abstract Only
	GB 2071751	09/1981	Great Britain			N/A
	JP 6237939	08/1994	Japan			Abstract Only
	SU 1389792	04/1988	U.S.S.R.			---
	WO 87/06118	10/1987	WIPO			N/A
	WO 90/02522	03/1990	WIPO			N/A
	WO 90/03763	04/1990	WIPO			Abstract Only
	WO 95/05778	03/1995	WIPO			N/A

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.



No English titl availabl .

Patent Number: DE2330182

Publication date: 1975-01-02

Inventor(s): HILTEBRANDT SIEGFRIED

Applicant(s): WOLF GMBH RICHARD

Requested Patent:  DE2330182

Application Number: DE19732330182 19730614

Priority Number(s): DE19732330182 19730614

IPC Classification: A61B17/42; A61B1/00

EC Classification: A61B1/07, A61B17/128E, A61F6/20B2

Equivalents:

---

Abstract

---

Data supplied from the **esp@cenet** database - I2

Tr  
A  
Y  
S  
EP  
1.  
1

## Vessel forceps

Patent Number: DE3722311

Publication date: 1989-01-19

Inventor(s): BRAUN BERND DIPLO CHEM DR MED (DE)

Applicant(s): BRAUN MELSUNGEN AG (DE)

Requested Patent:  DE3722311

Application Number: DE19873722311 19870707

Priority Number(s): DE19873722311 19870707

IPC Classification: A61B17/12

EC Classification: A61B17/122S

Equivalents:

### Abstract

The vessel forceps for clamping of blood vessels has three clamping jaws (14, 15, 16) two of which are arranged rigidly next to one another with a small lateral spacing. The third clamping jaw (14) presses the blood vessel against each of the other two clamping jaws (15, 16), so that the mechanical pressure force is distributed while, on the other hand, large contact angles are avoided. All three clamping jaws (14, 15, 16) are provided with longitudinal grooves in order to prevent slipping. Concave grip plates (21, 22) permit reliable, simple handling. The vessel forceps with the crossing clamping legs (10, 11) has small dimensions and is lightweight. The essential advantage resides in the fact that traumatisation is

prevented by the interaction of two pressure points and a small amount of wrap. 

Data supplied from the [esp@cenet](mailto:esp@cenet) database - I2

# Medical forceps, in particular arthroscopy forceps

Patent Number: DE3802651

Publication date: 1989-08-03

Inventor(s):

Applicant(s): STORZ KARL (DE)

Requested Patent:  DE3802651

Application Number: DE19883802651 19880129

Priority Number(s): DE19883802651 19880129

IPC Classification: A61B17/28; A61B17/32; A61B17/56

EC Classification: A61B17/28E8

Equivalents:

## Abstract

The invention relates to a medical forceps, in particular arthroscopy forceps, in which the forceps shaft is tubular and carries at least one articulated bit member at the end near the patient. The bit member can be actuated by pressure or tension by means of a rod inside a forceps shaft and the rod is in articulated connection with a movable handle part on the end remote from the patient, the forceps shaft being rigidly connected to a fixed handle part. In order to improve this forceps in such a way that the forceps handle can be used for a wide variety of purposes it is proposed by the invention that an articulated adapter piece be arranged between the movable handle part and the rod, the adapter piece reversing the direction of operation of the rod. In order to increase the manual force considerably, if and when required, it is provided, inter alia, that the movable handle part be provided with a slot which is eccentric relative to the fixed axis for receiving a pin of the articulated adapter piece, this eccentric slot having an outward curve for reinforcement of the manual force.

/ Data supplied from the **esp@cenet** database - I2  
F

## CLIP DEVICE

Patent Number: JP6237939

Publication date: 1994-08-30

Inventor(s): TSURUTA MINORU; others: 07

Applicant(s): OLYMPUS OPTICAL CO LTD

Requested Patent:  JP6237939

Application Number: JP19930027883 19930217

Priority Number(s):

IPC Classification: A61B17/12

EC Classification:

Equivalents:

### Abstract

**PURPOSE:** To surely close a tubular tissue by constituting the clip device so that a clip having a pair of leg parts energized in the leg closing direction is fed one by one to an inserting part inserted into a celom, and the clip is set to a leg opened state and attached to the tubular tissue.

**CONSTITUTION:** This clip 11 is constituted so that a pair of leg parts are formed in a form connected by a ring-like elastic hinge part by a resin material which is dissolved naturally, and energized in a leg closed state by the elastic hinge part. In a state that many chips thereof 11 are contained in a clip containing part 21 in an inserting part of a clip device, the inserting part is inserted into a celom through a tracheal, and by gripping lightly a handle 6, the head clip 11 is pressed strongly in the tip direction through a pusher 24d. Subsequently, when the clip 11 advances, the clip 11 is allowed to open the legs by a fact that an opening/closing pin 7a of an opening/closing jaw 7 works on a guide groove provided on the clip side face, and by closing the legs of the clip caused by the subsequent turning of the jaw 7, a tubular tissue is ligated.

Data supplied from the **esp@cenet** database - I2

# SKATES FOR TRAINING SPORSTMEN

Patent Number: SU1389792

Publication date: 1988-04-23

Inventor(s): VINOGRADOVA VALENTINA I (SU); VINOGRADOV ALEKSEJ YU (SU)

Applicant(s): TS SOVET V DOBROVOLNOGO SPORTI (SU)

Requested Patent:  SU1389792

Application Number: SU19864138499 19861023

Priority Number(s): SU19864138499 19861023

IPC Classification: A63C1/24

EC Classification:

Equivalents:

## Abstract

Data supplied from the **esp@cenet** database - I2

## No English title available.

Patent Number:  [FR2637489](#)

Publication date: 1990-04-13

Inventor(s):

Applicant(s): LACHKAR ALAIN (FR); LACHKAR GUY (FR); BENSSUSSAN FRANCK (FR)

Requested Patent:  [WO9003763](#)

Application Number: FR19880013395 19881007

Priority Number(s): FR19880013395 19881007

IPC Classification: A61B17/12

EC Classification: A61B17/068B, A61B17/128

Equivalents: AU4409589,  [EP0396683](#) (WO9003763)

### Abstract

The present invention relates to an automatic forceps device with clips for surgical stitching. It is comprised of the combination first of a double set of links (2, 2', 3, 3') operated simultaneously by an articulated finger-stall (1, 1') on the double plate enclosing the mechanism and making slide into each other and in opposite directions, and with different strokes, a clip (9) supply blade (5) and a sleeve forming the envelope of the forceps end, causing the closure of the tips (7, 7') which clamp the clips (9) situated at the extremity of a bar which is fixed with respect to the plate and situated itself inside the sleeve (11), and also comprised of a container arranged inside said sleeve, integrated in the fixed bar and containing the magazine of clips which are pushed by means of a piston and a spring, and finally comprised of a clip ejection system consisting of a holding blade which releases one clip at each opening of the forceps and allowing the supply blade to push the clip between the clamping tips. The device is intended for the suture of the vessels during surgical operations.

Data supplied from the [esp@cenet](mailto:esp@cenet) database - I2